California crime and punishment

by Seth Sandronsky; February 05, 2007

Heard of California's "10-20-life" law? It mandates a life sentence penalty for shooting a victim while committing a felony crime.

A current proponent of this law is Mike Villines, a Republican who represents Clovis and leads the party in the state Assembly. In his view, the "10-20-life" law reduces violent crime and increases public safety.

However, this law may not be as effective as he claims. Consider the homicide rate in Sacramento last year. "In the city, 59 people were killed in a year that ranked as the deadliest in a decade, records show," reported The Sacramento Bee on January 28. Roughly 56 percent of these deaths involved guns, with 15 murder suspects age 21 or younger, according to the paper.

It is possible that the "10-20-life" law did not deter some of the accused youth and older suspects. That possibility does not justify the violent crimes the suspects are accused of, but can expand our understanding of this awful trend.

Opponents might argue that any attempt to better understand the factors driving such criminal behavior empowers lawbreakers. This is an argument against gathering more facts in an attempt to prevent future deaths by firearms.

Being safe from gun violence in one's community and home are commonly-held values. People have, and expect that right. Thus, there is little need for a campaign of public awareness to so educate the citizenry.

By contrast, reforming a law on the books requires public education: interviews, research and studies. For example, this type of social investigation into Sacramento's spike in homicides could yield new insights, potentially some of them shedding light on unintended consequences of California's "10-20-life" law.

Such an educational campaign could uncover that some individuals convicted of gun violence knew of the "10-20-life" law before their criminal behavior. If so, than this law is not the deterrent that Villines claims it is.

It is time to think outside the box to prevent more senseless gun deaths in California. If the current law crafted to punish firearm use in the commission of felony crimes is not working as promised, reasonable people should consider other interventions.

One policy with long-time credibility in the public health arena is disease prevention. Gun violence is many things. I suggest that calling it a social disease is a legitimate description.

Therefore, the California Legislature should launch public hearings on gun crimes and punishments. Take testimony from people in Sacramento and other jurisdictions—Fresno, Los Angeles, the San Francisco Bay Area and San Diego. Californians' real-life experiences dealing with gun violence could be the grounds to make sentencing laws more effective.

Probing the links between high rates of unemployment and imprisonment in California offers one direction for public discussion and policymaker action. For example, blacks and Latinos are more likely to be unemployed and incarcerated than whites. The implications of this trend deserve political attention.

Meanwhile, the state has a festering crisis of prison overcrowding, with about 172,000 inmates. Some of them are being forcibly relocated to other states to address the pressure cooker inside California's teeming prisons.

Against this backdrop, Villines dismisses reforming the "10-20-life" law.   Instead, he prefers to build new prisons to house California's rising inmate population. Such a stance is a failure of the imagination, and a drain on non-prison spending.

If this law is not producing the promised outcomes, it is time to gather fresh evidence for policymakers and the public to see more clearly what's at stake, and then proceed accordingly. It may turn out that reforming California's "10-20-life" law could reduce and prevent future gun-violence.

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